

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ESTEBAN MARQUEZ,

Case No. 20-CV-5855

Plaintiff,

-against-

INDIAN TAJ, INC. d/b/a SANTOOR INDIAN
RESTAURANT, BALVINDER SINGH,
HARMINDER SIGNH, JOGINDER SINGH,
KIRPAL SINGH and MEHANGA SINGH,

**AFFIDAVIT OF HARDEEP
SINGH IN SUPPORT OF
MOTION TO VACATE
DEFAULT AND DISMISS
COMPLAINT**

Defendants.

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STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

I, Hardeep Singh, having been duly sworn, depose and swear that the following statements are true:

1. Defendant Joginder Singh is my father. My father does not speak English well. I have to translate English documents for him to understand. At his request, I reviewed the opposition filed by the plaintiff in this action and then undertook a search to try to locate any additional documents that may exist that are relevant to my father's sale of Santoor.

2. First, I spoke to Jagdev Singh who actually attended the closing with my father in May 2014. Jagdev submitted an affidavit in support of my father's motion where he stated that he attended the May 2014 closing because he had power of attorney from his father-in-law, defendant Menhanga Singh. After reviewing plaintiff's opposition, I spoke to Jagdev about documentation from the closing and the only document that Jagdev provided to me was the power of attorney that

he referenced in his affidavit. I took photos of the power of attorney he showed me, and the photos are attached to this affidavit as Exhibit A.

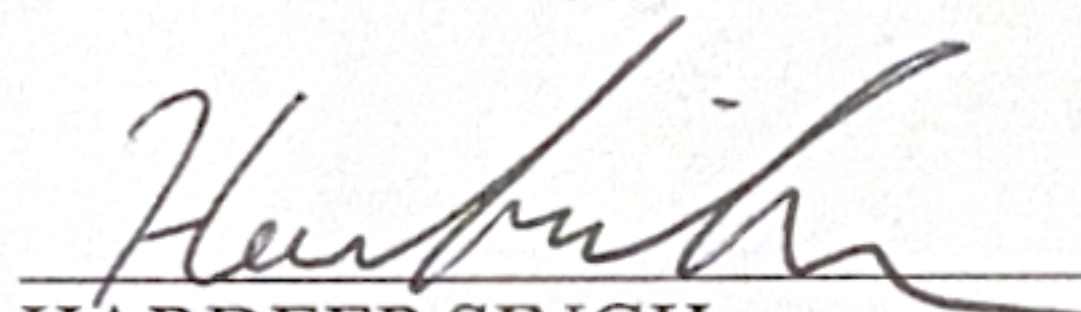
3. Second, I searched my fathers tax records and located W-2s for the years after his sale of Santoor and attach those as Exhibit B. I also located my parents federal income tax form 1040 returns. However, I did not see any schedules in those documents showing the source of any income after 2014. Because the returns are filed jointly by both my parents, I asked whether they would be comfortable with me sending those returns out to be filed with the Court and both directed me not to do so as it contained their personal information that was irrelevant to this case. However, they are willing to provide the original physical papers for the Court to review in person if the Judge deems it necessary.

4. Third, when my father sold his interest in Santoor in 2014 the only remaining owners were Kirpal Singh and Harminder Singh. I learned that Kirpal and Harminder subsequently sold the restaurant in September 2020. I learned that Kirpal and Harminder were represented at the September 2020 closing by Mandeep Kaur, Esq. I asked Ms. Kaur if she would provide me with documents from the 2020 closing showing who owned the restaurant at the time of the sale. Attached as Exhibit C is an e-mail that Ms. Kaur sent to me on December 19, 2024 and attached files from the closing. Those attachments confirm that when the restaurant was sold in September 2020 my father was no longer an owner and the only owners were Kirpal and Harminder Singh.

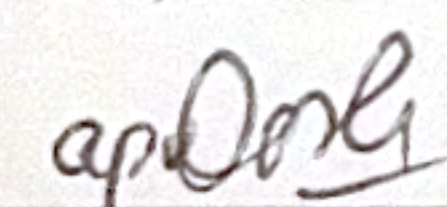
5. At my father's request I have searched all other records in our possession and I have not been able to locate any documents from May 2014 closing. As my father stated in his affidavit, he had no reason to keep those records from a sale that took place over ten years ago and my search confirms that he does not appear to have kept any records from that sale.

6. I attempted to contact that accountant that handled the accounting for Santoor back in 2014. The accountant was Arora a CPA at 17248 Grand Central Parkway, Jamaica, New York 11433. The accountant was hesitant to get involved in this matter and did not provide me with any documents.

7. I also reviewed the Facebook page for Santoor Indian Restaurant. There is a public post from October 29, 2020 confirming that the restaurant was now under new ownership. That is entirely consistent with the documents provided to me by Ms. Kaur showing the restaurant was sold by Kirpal and Harminder in September 2020. The link to the Facebook page is: <https://www.facebook.com/SantoorIndianRestaurant/> and the announcement of the new ownership is on October 29, 2020. There are other posts prior to that from Kirpal Singh announcing the he is closing the doors to Santoor and it will reopen under new ownership.


HARDEEP SINGH

Sworn to before me this 20th day
of December, 2024


NOTARY PUBLIC

